

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION

UNITED STATES OF AMERICA,

v.

BRYSON APPLING,

Defendant.

CRIMINAL ACTION NO.
3:24-cr-00007-TES-CHW-1

ORDER GRANTING UNOPPOSED MOTION TO CONTINUE
IN THE INTERESTS OF JUSTICE

Before the Court is an Unopposed Motion to Continue [Doc. 18] filed by Defendant Bryson Appling. On February 13, 2024, the Government obtained a three-count Indictment [Doc. 1] charging Defendant Appling with one count of Possession of a Firearm by a Convicted Felon, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2); one count of Possession with Intent to Distribute Fentanyl, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(C); and one count of Possession of a Firearm in Furtherance of a Drug Trafficking Crime, in violation of 18 U.S.C. § 924(c)(1)(A). [Doc. 1, pp. 1–2].

On March 4, 2024, Defendant Appling pled “Not Guilty,” at his initial appearance before a United States Magistrate Judge. [Doc. 12]; [Doc. 14]; [Doc. 18, ¶ 2].

Defendant Appling is currently incarcerated, serving a four-year probation revocation from the Superior Court of Athens-Clarke County, Georgia. [Doc. 18, ¶ 5].

Defendant Appling seeks a continuance in this case because he has not yet received

discovery. [*Id.* at ¶ 3]. So that counsel will have adequate time “to receive and review discovery material” with Defendant Appling, the Court **GRANTS** Defendant Appling’s Unopposed Motion to Continue [Doc. 18]. [*Id.* at ¶ 4]. Accordingly, the Court **CONTINUES** this case to *April 22, 2024*, as “failure to grant . . . a continuance . . . would likely . . . result in a miscarriage of justice.” *See* 18 U.S.C. § 3161(h)(7)(B)(i). The pretrial conference scheduled for March 21, 2024, is **CANCELED**.

The ends of justice served by this continuance outweigh the best interests of the public and Defendant Appling in a speedy trial and are in accordance with the considerations required under 18 U.S.C. § 3161(h)(7)(A) for excusable delay.

SO ORDERED, this 7th day of March, 2024.

S/ Tilman E. Self, III

TILMAN E. SELF, III, JUDGE
UNITED STATES DISTRICT COURT